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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE EASTERN DISTRICT OF CALIFORNIA

8 FIRST NATIONAL INSURANCE COMPANY )  
9 OF AMERICA, a Washington ) 02:04-cv-836-GEB-JFM  
10 corporation, )  
11 Plaintiff, )  
12 v. ) ORDER  
13 MBA CONSTRUCTION, a California )  
14 corporation doing business as MACK )  
15 CONSTRUCTION; KEVIN D. MACK, an )  
16 individual; KATIE BAUGH, an )  
17 individual; and DANNY W. BAUGH, )  
18 an individual, )  
19 Defendants. )  
20 \_\_\_\_\_ )

21 Whereas, the parties to this action, Plaintiff FIRST  
22 NATIONAL INSURANCE COMPANY OF AMERICA and Defendants MBA CONSTRUCTION  
23 DBA MACK CONSTRUCTION, KEVIN D. MACK, KATIE BAUGH and DANNY BAUGH,  
24 stipulated to a judgment (the "Stipulation") in the amount of  
25 \$102,966.00; and

26 Whereas the Stipulation was entered as the Judgment of the  
27 Court on September 8, 2005, (the "Stipulation and Judgment"); and

28 Whereas, on December 13, 2005, the Court issued an Order  
awarding: (1) \$119,708.73 for attorneys' fees and related expenses,  
and (2) \$13,525.63 for prejudgment interest; and

1           Whereas, the Clerk of the Court, on January 12, 2006, taxed  
2 costs in the amount of \$2,090.85; and

3           Whereas as the Court has been requested to enter a Final  
4 Judgment including the amounts awarded in the Stipulation and  
5 Judgment, the Order issued December 13, 2005, and the Bill of Costs  
6 taxed on January 12, 2006.

7           NOW THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the  
8 Stipulation and Judgment entered by the Court on September 8, 2005, is  
9 hereby amended to add the amounts awarded in the Order issued  
10 December 13, 2005, and the Bill of Costs taxed January 12, 2006.

11           Accordingly, IT IS ORDERED, ADJUDGED AND DECREED that  
12 Plaintiff, FIRST NATIONAL INSURANCE COMPANY OF AMERICA, have and  
13 recover from Defendants, MBA CONSTRUCTION DBA MACK CONSTRUCTION, KEVIN  
14 D. MACK, KATIE BAUGH and DANNY W. BAUGH, the sum of \$237,291.21, which  
15 sum includes (1) the \$102,966.00 included in the original Stipulation  
16 and Judgment, (2) \$119,708.73 in attorneys' fees and related expenses,  
17 as provided in the Order issued December 13, 2005, (3) \$13,525.63 in  
18 prejudgment interest as provided in the Order issued December 11,  
19 2005, and (4) \$2,090.85 in Bill of Costs taxed by the Clerk on  
20 January 12, 2006.

21           IT IS SO ORDERED.

22 Dated: February 16, 2006

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24                           /s/ Garland E. Burrell, Jr.  
25                           GARLAND E. BURRELL, JR.  
26                           United States District Judge  
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